

TWENTY-SEVENTH DAY

(Thursday, March 4, 1965)

The Senate met at 10:30 o'clock a.m., pursuant to adjournment, and was called to order by the President Pro Tempore.

The roll was called and the following Senators were present:

Aikin	Kennard
Bates	Krueger
Blanchard	Moore
Calhoun	Parkhouse
Cole	Patman
Colson	Ratliff
Creighton	Reagan
Crump	Richter
Dies	Rogers
Hall	Schwartz
Hardeman	Snelson
Harrington	Spears
Hazlewood	Strong
Herring	Watson
Hightower	Word
Kazen	

A quorum was announced present.

Reverend W. H. Townsend, Chaplain, offered the invocation.

On motion of Senator Aikin, and by unanimous consent, the reading of the Journal of the proceedings of yesterday was dispensed with and the Journal was approved.

Bill and Resolution Signed

The President Pro Tempore signed in the presence of the Senate after the caption had been read, the following enrolled bill and resolution:

H. C. R. No. 45, Commending those who served on the Governor's Committee on Education Beyond the High School.

H. B. No. 549, A bill to be entitled "An Act amending Acts of the Fifty-fourth Legislature, Page 447, Chapter 123, Regular Session, 1955 (compiled as Article 8220-163, Vernon's Texas Civil Statutes) by adding a new Section 21 so as to provide for a procedure to dissolve the Benbrook Sewer and Water Authority and declaring an emergency."

Message From the House

Hall of the House of Representatives
Austin, Texas,
March 4, 1965.

Hon. Preston Smith, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following:

H. B. No. 159, A bill to be entitled "An Act amending Section 1, of Chapter 513, Acts of the Fifty-first Legislature, Regular Session, 1949, as amended by Section 1 of Chapter 122, Acts of the Fifty-third Legislature, Regular Session, 1953, (compiled as Article 1113a of Vernon's Texas Civil Statutes) to provide that all incorporated cities, towns, and villages of the State of Texas may transfer to the general fund thereof revenues of any municipally owned utility system in the amount and to the extent authorized or permitted in the indenture, deed of trust, or ordinance providing for and securing payment of revenue bonds issued under Articles 1111-1118, Revised Civil Statutes of Texas, 1925, as amended, or other similar laws, notwithstanding any prohibition contained in Article 113, Revised Civil Statutes of Texas, 1925, as amended, or other similar laws; and declaring an emergency."

H. B. No. 165, A bill to be entitled "An Act limiting the frequency of school district consolidation elections in certain school districts; and declaring an emergency."

The House has concurred in Senate amendments to House Bill No. 142 by vote of 138 ayes, 0 noes.

Respectfully submitted,

DOROTHY HALLMAN,
Chief Clerk House of Representatives

Reports of Standing Committees

Senator Hazlewood submitted the following reports:

Austin, Texas,
March 4, 1965.

Hon. Preston Smith, President of the Senate.

Sir: We, your Committee on State Affairs, to which was referred S. B. No. 325, have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be printed.

HAZLEWOOD, Chairman.

Austin, Texas,
March 4, 1965.

Hon. Preston Smith, President of the Senate.

Sir: We, your Committee on State Affairs, to which was referred S. B. No. 216, have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass as amended and be printed.

HAZLEWOOD, Chairman.

Austin, Texas,
March 4, 1965.

Hon. Preston Smith, President of the Senate.

Sir: We, your Committee on State Affairs, to which was referred S. B. No. 333, have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass as amended and be printed.

HAZLEWOOD, Chairman.

Austin, Texas,
March 4, 1965.

Hon. Preston Smith, President of the Senate.

Sir: We, your Committee on State Affairs, to which was referred S. B. No. 217, have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be printed.

HAZLEWOOD, Chairman.

Austin, Texas,
March 4, 1965.

Hon. Preston Smith, President of the Senate.

Sir: We, your Committee on State Affairs, to which was referred S. C. R. No. 44, have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be printed.

HAZLEWOOD, Chairman.

Senator Moore submitted the following reports:

Austin, Texas,
March 4, 1965.

Hon. Preston Smith, President of the Senate.

Sir: We, your Committee on Education, to which was referred H. B. No. 183, have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass as amended and be printed.

MOORE, Chairman.

Austin, Texas,
March 4, 1965.

Hon. Preston Smith, President of the Senate.

Sir: We, your Committee on Education, to which was referred S. B. No. 306, have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be printed.

MOORE, Chairman.

Austin, Texas,
March 4, 1965.

Hon. Preston Smith, President of the Senate.

Sir: We, your Committee on Education, to which was referred S. B. No. 257, have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be printed.

MOORE, Chairman.

Austin, Texas,
March 4, 1965.

Hon. Preston Smith, President of the Senate.

Sir: We, your Committee on Education, to which was referred H. B. No. 166, have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be printed.

MOORE, Chairman.

Senate Bills and Resolutions on First Reading

The following bills and resolutions were introduced, read first time and referred to the Committee indicated:

By Senator Parkhouse:

S. B. No. 351, A bill to be entitled "An Act constituting a local law for the maintenance of the public roads and highways in Dallas County by authorizing the county to issue certificates of indebtedness for the purpose of acquiring right-of-way for designated State highways or Federal highways when the acquisition of such right-of-way is approved by the state Highway Commission, and payment of expenses in connection with such acquisition; requiring the levy of a tax to pay such certificates and the interest thereon; requiring such certificates to be approved by the Attorney

General and registered by the Comptroller of Public Accounts and prescribing the effect thereof; enacting other provisions relating to the subject; and declaring an emergency."

To the Committee on Counties, Cities and Towns.

By Senator Cole:

S. B. No. 352, A bill to be entitled "An Act authorizing certain cities to establish, acquire, purchase, construct, improve, enlarge, equip, repair, operate and maintain certain public improvements including, without limitation, civic centers, civic center buildings, auditoriums, opera houses, music halls, exhibition halls, coliseums, or other public buildings, structures or improvements for public gatherings or public use, and buildings, structures, parking areas or other improvements of facilities deemed by such city to be necessary, desirable or convenient for off-street parking or storage of motor vehicles or other conveyances at such location or locations which the city may deem suitable, desirable or convenient in connection with the use, occupancy or operation of any or all such public improvements authorizing such cities to issue negotiable revenue bonds to provide funds for establishing, acquiring, purchasing, constructing, improving, enlarging, equipping and repairing such public improvements and containing provisions relating to such bonds and the revenues pledged in payment thereof; authorizing the issuance of revenue refunding bonds and containing provisions relating to said bonds and the revenues pledged in payment thereof; providing that this Act is cumulative of existing laws but providing that this Act shall take precedence over inconsistent or conflicting laws and over all city charter provisions; providing a severability clause; containing other provisions relating to the subject; and declaring an emergency."

To the Committee on Counties, Cities and Towns.

By Senator Cole:

S. B. No. 353, A bill to be entitled "An Act amending Section 8, House Bill No. 169, Chapter 427, Acts of the 55th Legislature, Regular Session, 1957, as amended by Chapter 128, Acts of the 58th Legislature, Regular Session, 1963, providing for contracts

in the conduct of research; and declaring an emergency."

To the Committee on Jurisprudence.

By Senator Herring:

S. B. No. 354, A bill to be entitled "An Act amending Section 10 of Senate Bill No. 383, Chapter 177, Page 300, General Laws of the State of Texas, Acts of the Forty-second Legislature, Regular Session, 1931, as amended, being codified as Section 10 of Article 46a, Vernon's Texas Civil Statutes; providing for the confidentiality of adoption records filed with the State Department of Public Welfare; providing for the confidentiality of adoption records filed with licensed Child-Placing Agencies; providing a repealing clause, a saving clause, and declaring an emergency."

To the Committee on Jurisprudence.

By Senators Cole and Hardeman:

S. B. No. 355, A bill to be entitled "An Act amending Sections 248, 249, 250, 255 and 256 and repealing Sections 254 of the Texas Probate Code to eliminate the requirement of appointment of three or more persons to appraise the property of estates upon granting letters testamentary or of administration or of guardianship; to provide that not less than one nor more than three disinterested persons shall be appointed to appraise property of estates upon application of any interested person or if for good cause shown the court deems necessary; to provide for appointment of out of county appraisers; to provide for appointment of other appraisers upon failure or refusal of appraisers to act; to specify the time for filing a verified inventory of property of estates and to provide for extensions and reductions of such time; to specify the property to be included in the inventory; to require personal representatives to make appraisal of the property of estates without assistance of appraisers, unless appraiser or appraisers are appointed by the court, and to include with the inventory a report of such appraisal; to repeal Section 254 which provides that appointment of appraisers may be dispensed with; to direct the filing of the inventory and appraisal with the clerk of court without action of the court and providing for filing of another inventory in the event of disapproval of the inventory by the court; to require the

filing of a supplemental inventory and appraisal of property or claims not included in the inventory; providing that in the event of conflict with the provisions of any other Section of the Probate Code or any other law, the provisions hereof shall take precedence and prevail to the extent of such conflict; providing a saving clause; providing a severability clause; and declaring an emergency."

To the Committee on Jurisprudence.

By Senator Rogers:

S. B. No. 356, A bill to be entitled "An Act relating to arrest and search without warrant; adding Article 215a to the Code of Criminal Procedure of Texas, 1925; and declaring an emergency."

To the Committee on Jurisprudence.

By Senator Rogers:

S. B. No. 357, A bill to be entitled "An Act relating to contraband narcotics; amending Section 1, Chapter 300, Acts of the 54th Legislature, 1955; and declaring an emergency."

To the Committee on Jurisprudence.

By Senator Rogers:

S. B. No. 358, A bill to be entitled "An Act relating to execution of search warrants; adding Article 321a to the Code of Criminal Procedure of Texas, 1925; and declaring an emergency."

To the Committee on Jurisprudence.

By Senator Rogers:

S. B. No. 359, A bill to be entitled "An Act relating to dangerous drugs; increasing the penalties for violation of the Act; prohibiting additional conduct concerning dangerous drugs; providing for the fingerprinting and photographing of offenders; amending Section 15 of, and adding two sections to, Chapter 425, Acts of the 56th Legislature, Regular Session, 1959; and declaring an emergency."

To the Committee on Jurisprudence.

By Senator Hightower:

S. J. R. No. 36, Proposing Amendment to Section 3 of Article III of the Constitution of the State of Texas so as to provide a six year term of office for Senators; providing for a new Senate after each apportionment and the division of the Senators chosen into three classes; providing

for the necessary election and form of the ballot; and providing for the necessary proclamation and publication.

To the Committee on Constitutional Amendments.

By Senator Richter:

S. J. R. No. 37, Proposing an Amendment to the Constitution of the State of Texas, amending Subsection (1) of Section 51a of Article III, providing that the Legislature shall have the power to provide assistance to needy persons over the age of sixty-five (65) years who are citizens of the United States and to needy persons over the age of sixty-five (65) years who are not citizens of the United States but who have resided within the boundaries of the United States for at least twenty-five (25) years immediately preceding application for such assistance; providing that no such assistance shall be paid to any inmate of any state-supported institution; providing that the Legislature shall prescribe the state residence requirements for eligibility providing that the maximum amount paid out of state funds to any individual recipient shall not exceed the amount that is matchable out of federal funds; providing that the total amount of such assistance payments out of state funds on behalf of such recipients shall not exceed the amount that is matchable out of federal funds; and providing that such assistance shall not be granted to any non-citizen who has been convicted of subversive action against the United States; provided for the necessary election, form of ballot, proclamation, and publication."

To the Committee on Constitutional Amendments.

Reports of Standing Committees

Senator Ratliff by unanimous consent submitted the following report:

Austin, Texas,
March 4, 1965.

Hon. Preston Smith, President of the Senate.

Sir: We, your Committee on Counties, Cities and Towns, to which was referred S. B. No. 351, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass, and be printed.

RATLIFF, Chairman.

Senator Moore by unanimous consent submitted the following report:

Austin, Texas,
March 4, 1965.

Hon. Preston Smith, President of the Senate.

Sir: We, your Committee on Education, to which was referred H. B. No. 472, have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass as amended and be printed.

MOORE, Chairman.

Senate Bill 351 Ordered Not Printed

On motion of Senator Parkhouse and by unanimous consent S. B. No. 351 was ordered not printed.

House Bill 472 Ordered Not Printed

On motion of Senator Strong and by unanimous consent H. B. No. 472 was ordered not printed.

Senate Concurrent Resolution 46

Senator Cole offered the following resolution:

S. C. R. No. 46, Requesting Legislative Council to study problems of the Deaf.

Whereas, In recent years, continuing attention has been focused upon the needs of handicapped persons, with special attention to such matters as education and training for gainful employment and self-support; and

Whereas, Providing adequate and effective services and assistance to Texas citizens handicapped by deafness continues to be a major concern of the legislature and state agencies charged with administering the state's program in this area; and

Whereas, It is in the best interest of these persons, as well as of the state, the community, and society as a whole, that they receive appropriate education and training to assist them in achieving the greatest possible degree of economic and social independence, rather than remaining dependent because of their hearing handicaps; and

Whereas, Texas maintains a residential school for deaf children in Austin, in addition to providing financial support for special education classroom teacher units for the deaf in certain public schools; and

Whereas, In 1963-64, 303 children were enrolled in public school special education units for the deaf and 46,685 were enrolled in units for speech and hearing therapy; and

Whereas, It is estimated that about five per cent of all school children have hearing levels outside the range of normal and that about one or two of every 10 children in this group require supplementary education; and

Whereas, The State of Texas has recently authorized a special preschool program for deaf children to better prepare them for learning experiences when they enter regular school classes; and

Whereas, A number of voluntary health and social agencies also provide services for the deaf and hard-of-hearing; now therefore be it

Resolved, By the Senate of the State of Texas, the House of Representatives concurring, That the Texas Legislative Council be requested to make a comprehensive study of programs designed to educate, assist, and provide services for the deaf in Texas, including consideration of the number of persons in the state who are deaf or have hearing problems; principal problems of the deaf; the program of the State School for the Deaf; the special education program for deaf and hard-of-hearing children in the public schools; current efforts in the prevention and treatment of hearing problems; and rehabilitation, placement, and employment programs for the deaf; and be it further

Resolved, That the Council receive assistance in this study from a five-member Citizens Advisory Committee, to be appointed by the chairman of the Council and composed of persons who are acquainted with the various problems of the deaf and programs designed to serve them; and be it further

Resolved, That the Texas Education Agency, the State School for the Deaf, the Texas State Department of Health, the Texas Employment Commission and other state agencies having programs providing services for assistance to the deaf be instructed to provide such information as may be requested and to cooperate with the Council and the Citizens Advisory Committee in the conduct of this study; and be it further

Resolved, That the Council report its findings and recommendations to the regular session of the 60th Legislature.

The resolution was read and was referred to the Committee on State Affairs.

Presentation of Guests

Senator Richter by unanimous consent presented Mrs. Andrea Penn, the mother of Sergeant-at-Arms Richard Penn, and her sister and husband, Mr. and Mrs. Hodges of South Dakota as guests of the Senate today.

Change of Notice of Executive Session

On motion of Senator Krueger and by unanimous consent the Notice of Executive Session given on yesterday for today at 11:30 o'clock a.m. was changed to 11:00 o'clock a.m. today.

House Joint Resolution 5 on Second Reading

Senator Cole moved that Senate Rules 116, 13, and 38 and Section 5 of Article III of the State Constitution be suspended and that H. J. R. No. 5 be taken up for consideration at this time.

The motion prevailed by the following vote:

Yeas—30

Aikin	Kennard
Bates	Krueger
Blanchard	Moore
Calhoun	Parkhouse
Cole	Patman
Colson	Ratliff
Creighton	Reagan
Crump	Richter
Dies	Rogers
Hall	Schwartz
Harrington	Snelson
Hazlewood	Spears
Herring	Strong
Hightower	Watson
Kazen	Word

Absent

Hardeman

The President Pro Tempore laid before the Senate on its second reading and passage to third reading:

H. J. R. No. 5, Authorizing an increase in the total amount of bonds or obligations that may be issued by the Veterans' Land Board.

The resolution was read second time and was passed to third reading.

House Joint Resolution 5 on Third Reading

Senator Cole moved that Senate Rules 32 and the Constitutional Rule requiring resolutions to be read on three several days be suspended and that H. J. R. No. 5 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—30

Aikin	Kennard
Bates	Krueger
Blanchard	Moore
Calhoun	Parkhouse
Cole	Patman
Colson	Ratliff
Creighton	Reagan
Crump	Richter
Dies	Rogers
Hall	Schwartz
Harrington	Snelson
Hazlewood	Spears
Herring	Strong
Hightower	Watson
Kazen	Word

Absent

Hardeman

The President Pro Tempore then laid the resolution before the Senate on its third reading and final passage.

The resolution was read third time and was passed by the following vote:

Yeas—30

Aikin	Kennard
Bates	Krueger
Blanchard	Moore
Calhoun	Parkhouse
Cole	Patman
Colson	Ratliff
Creighton	Reagan
Crump	Richter
Dies	Rogers
Hall	Schwartz
Harrington	Snelson
Hazlewood	Spears
Herring	Strong
Hightower	Watson
Kazen	Word

Absent

Hardeman

House Bill 472 on Second Reading

Senator Strong moved that Senate Rules 116, 13, and 38 and Section 5 of Article III of the State Constitu-

tion be suspended and that H. B. No. 472 be taken up for consideration at this time.

The motion prevailed by the following vote:

Yeas—30

Aikin	Kennard
Bates	Krueger
Blanchard	Moore
Calhoun	Parkhouse
Cole	Patman
Colson	Ratliff
Creighton	Reagan
Crump	Richter
Dies	Rogers
Hall	Schwartz
Harrington	Snelson
Hazlewood	Spears
Herring	Strong
Hightower	Watson
Kazen	Word

Absent

Hardeman

The President Pro Tempore laid before the Senate on its second reading and passage to third reading:

H. B. No. 472, A bill to be entitled "An Act providing three-year terms and an alternate method of election for trustees of certain independent school districts converted from common school districts; and declaring an emergency."

The bill was read the second time.

Senator Strong offered the following Committee Amendment to the bill:

(1) Amend House Bill No. 472, in Section 1(2), by striking "260" and substituting "120" for it.

(2) Amend House Bill 472, in Section 1(3), by adding after the word "persons" the following: "or in a county with a population of more than 16,815 but less than 16,900 persons."

The Committee Amendment was adopted.

The bill as amended was passed to third reading.

House Bill 472 on Third Reading

Senator Strong moved that Senate Rules 32 and the Constitutional Rule requiring bills to be read on three several days be suspended and that

H. B. No. 472 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—30

Aikin	Kennard
Bates	Krueger
Blanchard	Moore
Calhoun	Parkhouse
Cole	Patman
Colson	Ratliff
Creighton	Reagan
Crump	Richter
Dies	Rogers
Hall	Schwartz
Harrington	Snelson
Hazlewood	Spears
Herring	Strong
Hightower	Watson
Kazen	Word

Absent

Hardeman

The President Pro Tempore then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—30

Aikin	Kennard
Bates	Krueger
Blanchard	Moore
Calhoun	Parkhouse
Cole	Patman
Colson	Ratliff
Creighton	Reagan
Crump	Richter
Dies	Rogers
Hall	Schwartz
Harrington	Snelson
Hazlewood	Spears
Herring	Strong
Hightower	Watson
Kazen	Word

Absent

Hardeman

Message From the House

Hall of the House of Representatives,
Austin, Texas,
March 4, 1965.

Hon. Preston Smith, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following:

S. B. No. 31, A bill to be entitled "An Act relating to the sale at retail of imported fresh meats; requiring that signs be posted and labels be used to give notice that imported meats are sold; providing a penalty for violations of this Act; providing for severability; and declaring an emergency."

(With amendments.)

S. B. No. 39, A bill to be entitled "An Act raising the age limit for the education program for totally deaf and blind or totally blind and non-speaking children; amending Section 2, Chapter 389, Acts of the 56th Legislature, Regular Session, 1959; and declaring an emergency."

S. B. No. 71, A bill to be entitled "An Act conveying certain lands in Palo Pinto County to the Mineral Wells Independent School District requiring that the Mineral Wells Independent School District shall pay to the State of Texas cash consideration for this conveyance prescribing the consideration; making other provisions relative thereto; providing a severability clause; and declaring an emergency."

S. B. No. 101, A bill to be entitled "An Act relating to certificates of indebtedness for the maintenance of public roads by San Patricio County and declaring an emergency."

S. B. No. 106, A bill to be entitled "An Act quitclaiming all right, title and interest to a certain tract of land in Palo Pinto County, Texas, acquired from the Mineral Wells Chamber of Commerce by deed executed February 5, 1927, and filed March 1, 1927, to the Mineral Wells Chamber of Commerce; and declaring an emergency."

S. B. No. 153, A bill to be entitled "An Act authorizing the Board of Regents of the Texas Woman's University to sell and convey certain land, located in Denton County, Texas, said land being a part of the Bertha Lakey Estate bequeathed to the Texas Woman's University to establish the Ray and Bertha Lakey Scholarship Fund to provide scholarships for worthy girls seeking a college education; prescribing the procedure, terms and conditions of sale; disposition of the proceeds; and declaring an emergency."

S. B. No. 253, A bill to be entitled

"An Act relating to the establishment of a Hospital District in accordance with the provisions of Section 9 of Article IX of the Constitution of the State of Texas, to be known as the Cisco Hospital District, with boundaries coextensive with Commissioners Precinct Number Four of Eastland County, Texas; defining its purposes, providing for its administration, operation, financing, taxing powers and liabilities; prescribing procedures; providing for severability; reciting proof of publication of constitutional notice; and declaring an emergency."

H. B. No. 92, A bill to be entitled "An Act to provide that no suit for divorce shall be heard, or divorce granted, before the expiration of 180 days after the suit is filed if there are children under 18 years of age born of the marriage sought to be dissolved or adopted by the parties to the suit; amending Article 4632, Revised Civil Statutes of Texas, 1925, as amended; and declaring an emergency."

H. B. No. 62, A bill to be entitled "An Act authorizing the creation of a Hospital District comprising all of Uvalde County, Texas, and the assumption of all outstanding indebtedness of Uvalde County incurred for hospital purposes; providing that such District shall assume full responsibility for medical and hospital care for the eligible needy residing within the District and authorizing the admission to its hospital of persons who are able to pay, providing that such District shall not be created until authorized by a majority vote of the resident legally qualified property taxpaying voters in said District at an election called by the Commissioners' Court on its own motion or upon petition, at which election the proposition for the issuance of bonds of the District may also be submitted; prescribing the form of ballot for said election; providing that failure of any proposition at any such election shall not prohibit the calling and holding of subsequent elections for the same purpose; authorizing the levy of a tax by said District not exceeding Seventy-five Cents (75¢) on the One Hundred Dollars (\$100.00) valuation of taxable property for the purpose of maintaining and operating a hospital or hospitals and making additions and improvements thereto; providing for the appointment of a Board of Hospital

Managers and prescribing its powers and duties; authorizing the establishment of a retirement system for employees of the District; granting the power of eminent domain to the District; providing for the selection of a depository or depositories for funds of the District; prescribing the duties of officers and employees of the District and other officers of the County and State with respect to the District; prohibiting the levy of any tax by Uvalde County, or any city therein, for hospital purposes after the creation of the District; providing the method of assessing and collecting taxes; authorizing the issuance of bonds of the District and prescribing the procedure therefor; authorizing the issuance of refunding bonds by the District; authorizing the conveyance of all hospital properties by Uvalde County to the Hospital District; authorizing the Board of Hospital Managers to accept donations, gifts, and endowments for the Hospital District; making bonds of the District eligible for investment of certain funds and as security for certain deposits; making a finding that local notice has been properly given; providing a savings clause; and declaring an emergency."

Respectfully submitted,

DOROTHY HALLMAN,

Chief Clerk House of Representatives

Bills Signed

The President Pro Tempore signed in the presence of the Senate after the captions had been read, the following bills:

S. B. No. 75, A bill to be entitled "An Act amending Section 2, Chapter 6, Acts of the 43rd Legislature, 3rd Called Session, 1934 (Article 7057c, Vernon's Texas Civil Statutes), relating to sworn statements to be made to State Comptroller by wholesaler of oleomargarine, and declaring an emergency."

S. B. No. 109, A bill to be entitled "An Act authorizing the Texas National Guard Armory Board to sell certain lands, buildings, and improvements when such property has been declared surplus to the needs of the National Guard; providing the conditions of such sale; providing for the deposit of revenues derived therefrom in the State Treasury; providing for the purposes for which such proceeds

may be expended; making other provisions relating thereto; amending Section 7 of Article 5786, Senate Bill 279 of the 58th Legislature; and declaring an emergency."

S. B. No. 118, A bill to be entitled "An Act providing for changes in the Firemen's Relief and Retirement Fund in certain cities in the state; amending Sections 6B, 7B, 7C, 12A, and 23A-1 and Subsection (d), Section 10E, Chapter 125, Acts of the 45th Legislature, Regular Session, 1937, as amended; and declaring an emergency."

Executive Session

On motion of Senator Krueger and by unanimous consent the Senate agreed to hold an Executive Session at 11:01 o'clock a.m. today.

Accordingly, the President Pro Tempore directed all those not entitled to attend the Executive Session of the Senate to retire from the Senate Chamber and instructed the Sergeant-at-Arms to close all doors leading from the Chamber.

At the conclusion of the Executive Session the Secretary of the Senate informed the Journal Clerk that the Senate had confirmed the following nominations of the Governor:

To be members of the Battleship Texas Commission, for six-year terms to expire May 26, 1969: Lofton O. Wells of Houston, Harris County; Mrs. Mack J. Webb of El Campo, Wharton County; R. C. Gusman of Bay City, Matagorda County.

To be members of the State Board of Chironody Examiners, for six-year terms to expire August 11, 1969: Dr. Joseph R. Ordile of Fort Worth, Tarrant County. Dr. Buford M. Sanders of Tyler, Smith County.

To be members of the Texas Board of Chiropractic Examiners, for six-year terms to expire August 4, 1969: Dr. G. M. Brassard of Beaumont, Jefferson County; Dr. T. O. Davis of Liberty, Liberty County; Dr. Oliver R. Smith, El Paso, El Paso County.

To be a member of the State Board of Control, for a six-year term to expire August 31, 1969: Charles Coates, Sr., of Chappell Hill, Washington County.

To be a member of the Board for Texas State Hospitals and Special Schools, for a six-year term to expire February 15, 1969: Dr. George A. Constant of Victoria, Victoria County.

To be a member of the Texas Library and Historical Commission, for a six-year term to expire September 28, 1969: Price Daniel of Liberty, Liberty County.

To be a member of the Industrial Accident Board, for a six-year term to expire September 1, 1969: Walter Buckner of San Marcos, Hays County.

To be members of the State Board of Dental Examiners, for six-year terms to expire May 24, 1969: Dr. R. T. Weber of Austin, Travis County; Dr. James E. Makins of Lubbock, Lubbock County.

To be members of the Good Neighbor Commission, for six-year terms to expire June 19, 1969: Robert J. Galvan of El Paso, El Paso County; Jack Drake of Weslaco, Hidalgo County; Charles L. Nunn of Sweetwater, Nolan County. To fill the unexpired term of Frank H. Kelley, deceased, term to expire June 19, 1965: Ramiro B. Martinez of McAllen, Hidalgo County. To fill the unexpired term to June 19, 1967: Mrs. Bob Long of Austin, Travis County.

To be members of the State Board of Health, for six-year terms to expire June 12, 1969: Dr. Elmer C. Baum of Austin, Travis County, I. D. Flores of Floresville, Wilson County; Dr. John M. Smith of San Antonio, Bexar County.

To be Judge of Criminal District Court Number Two of Tarrant County, to fill the unexpired term of Judge Dave McGee, deceased: J. E. Winters of Fort Worth, Tarrant County.

To be District Judge of the 48th Judicial District, to fill the unexpired term of Judge Robert Young, resigned: Walter E. Jordan of Fort Worth, Tarrant County.

To be members of the Texas Industrial Commission, for six-year terms to expire February 15, 1969: Leslie G. Burnet of Austin, Travis County; J. B. McDuff of Crockett, Houston County. To fill the unexpired term of Houston Harte, resigned, term to expire February 15, 1965: Claude W. Brown of McCamey, Upton County.

To be Firemen's Pension Commissioner, for a two-year term to expire July 1, 1965: Mrs. Marie Hudson of Austin, Travis County.

To be a member of the Board of Trustees of the Employees Retirement System of Texas, for a six-year term to expire August 31, 1970: Dave Smith of Austin, Travis County.

To be Commissioner of Labor Statistics, for a two-year term to expire January 31, 1965: Charles H. King, Jr., of Dallas, Dallas County.

To be Commissioner of Labor Statistics, for a two-year term to expire January 31, 1967: Charles H. King, Jr. of Dallas, Dallas County.

To be members of the Board of Directors of the Lavaca County Flood Control District Number Three, for two-year terms to expire January 1, 1966: Erwin Bucek of Hallettsville, Lavaca County; Edmund Hajovsky of Hallettsville, Lavaca County; Alfred Neumeyer, Jr., of Hallettsville, Lavaca County. To fill the unexpired term of Robert Gindler, resigned, term to expire January 1, 1965: James Bozka of Hallettsville, Lavaca County.

To be members of the State Board of Medical Examiners, for six-year terms to expire April 13, 1969: Dr. Garland G. Porter of Lubbock, Lubbock County; Dr. M. H. Crabb of Fort Worth, Tarrant County.

To be members of the Board of Regents of Midwestern University, for six-year terms to expire February 25, 1970: James Barnett of Wichita Falls, Wichita County; Marvin Pierce of Wichita Falls, Wichita County.

To be members of the State Board of Morticians, for six-year terms to expire May 31, 1969: Harold Saunders of San Antonio, Bexar County; Charles Jackson Clark of Dallas, Dallas County.

To be members of the Board of Regents of North Texas State University, for six-year terms to expire May 25, 1969: David A. Kimbell of Wichita Falls, Wichita County; Dr. Joe Nelson of Weatherford, Parker County; S. A. Kerr of Huntsville, Walker County.

To be members of the State Board of Pharmacy, for six-year terms to expire June 14, 1969: Ed Minor of

Austin, Travis County; W. R. Whitten of Fort Worth, Tarrant County.

To be a member of the State Board of Plumbing Examiners, for a six-year term to expire May 28, 1969: Steve Chuoke of Texas City, Galveston County.

To be members of the Board of Directors of the Sabine River Authority of Texas, for six-year terms to expire July 6, 1969: Gus Orsborn, Jr., of Emory, Rains County; Tom Pegues of Mineola, Wood County.

To be a member of the State Board of Registration for Public Surveyors, for a six-year term to expire September 9, 1969: Kirby Hillin of Dallas, County.

To be a member of the Texas Employment Commission, to fill the unexpired term of J. J. Pickle, resigned, term to expire November 21, 1966: William Sherman Birdwell, Jr., of Austin, Travis County.

To be members of the State Board of Veterinary Medical Examiners, for six-year terms to expire August 26, 1969: Dr. J. A. Barrington of Wichita Falls, Wichita County; Dr. Claude Willey of El Paso, El Paso County.

To be a member of the Board of Regents of Texas Woman's University, to fill an unexpired term to January 10, 1969: Frank B. Appleman of Fort Worth, Tarrant County.

To be members of the Advisory Board of the Texas Tourist Development Agency, for six-year terms to expire August 23, 1969: James M. Gaines of San Antonio, Bexar County; Garner A. Mabry of Houston, Harris County. For four-year terms to expire August 23, 1967: John Powell of Austin, Travis County; John McCarty of Dallas, Dallas County. For two-year terms to expire August 23, 1965: Chris Fox of El Paso, El Paso County; William E. Berger of Hondo, Medina County.

To be a member of the Texas Water Commission, for a six-year term to expire February 1, 1969: William E. Berger of Hondo, Medina County.

To be District Judge of the 22nd Judicial District, to fill the unexpired term of Judge J. R. Fuchs, resigned: Terry L. Jacks of San Marcos, Hays County.

To be Branch Pilots for the Galveston Bar and the Houston Ship Channel, for a two-year term to expire January 18, 1967: J. Everett McNary of Houston, Harris County. For a two-year term to expire January 1, 1967: Charles W. Barfield of Houston, Harris County.

To be a member of the State Board of Trustees of the Teacher Retirement System of Texas, for six-year term to expire August 31, 1969: Miss Lois Gray of Fort Worth, Tarrant County.

To be a member of the Texas Youth Council, for a six-year term to expire September 1, 1969: Robert S. Tate, Jr., of Austin, Travis County.

In Legislative Session

The President Pro Tempore called the Senate to order as In Legislative Session at 11:30 o'clock a.m.

Memorial Resolutions

S. R. No. 222—By Senator Watson: Memorial resolution for Lawrence P. Heard, Sr.

S. R. No. 223—By Senator Watson: Memorial resolution for Charles Mohlman.

S. R. No. 225—By Senator Hightower: Memorial resolution for Bert Broday.

Welcome and Congratulatory Resolutions

S. R. No. 226—By Senator Harrington: Extending welcome to Mr. and Mrs. Robert H. Wood of Port Arthur.

S. R. No. 227—By Senator Harrington: Extending welcome to Mr. and Mrs. Dusty Rhodes of Port Arthur.

S. R. No. 228—By Senator Herring: Extending welcome to Bruce Love of Travis County.

S. R. No. 229—By Senator Hazlewood: Extending welcome to Mrs. Ina Mae Cloudt of San Antonio.

S. R. 230—By Senator Hazlewood: Extending congratulations to Gruver High School Basketball Team and coach on winning District Championship.

Adjournment

On motion of Senator Hardeman

the Senate at 12:31 o'clock p.m. adjourned until 10:30 o'clock a.m. on Monday, March 8, 1965.

Record of Vote

Senator Patman asked to be recorded as voting "Nay" on the motion to adjourn.

APPENDIX

Reports of Standing Committee

Senator Hardeman submitted the following reports:

Austin, Texas,
March 4, 1965.

Hon. Preston Smith, President of the Senate.

Sir: We, your Committee on En-grossed and Enrolled Bills, to which was referred:

S. B. No. 75, "An Act amending Section 2, Chapter 6, Acts of the 43rd Legislature, 3rd Called Session, 1934 (Article 7057c, Vernon's Texas Civil Statutes), relating to sworn statements to be made to State Comptroller by wholesaler of oleomargarine; and declaring an emergency." have carefully considered same and find it correctly enrolled.

HARDEMAN, Chairman.

Austin, Texas,
March 4, 1965.

Hon. Preston Smith, President of the Senate.

Sir: We, your Committee on En-grossed and Enrolled Bills, to which was referred:

S. B. No. 118, "An Act providing for

changes in the Firemen's Relief and Retirement Fund in certain cities in the state; amending Sections 6B, 7B, 7C, 12A, and 23A-1 and Subsection (d), Section 10E, Chapter 125, Acts of the 45th Legislature, Regular Session, 1937, as amended; and declaring an emergency."

have carefully compared same and find it correctly enrolled.

HARDEMAN, Chairman.

Austin, Texas,
March 4, 1965.

Hon. Preston Smith, President of the Senate.

Sir: We, your Committee on En-grossed and Enrolled Bills, to which was referred:

S. B. No. 109, "An Act authorizing the Texas National Guard Armory Board to sell certain lands, buildings and improvements when such property has been declared surplus to the needs of the National Guard; providing the conditions of such sale; providing for the deposit of revenues derived therefrom in the State Treasury; providing for the purposes for which such proceeds may be expended; making other provisions relating thereto; amending Section 7 of Article 5786, Senate Bill 279 of the 58th Legislature; and declaring an emergency."

have carefully compared same and find it correctly enrolled.

HARDEMAN, Chairman.

Sent to Governor

March 4, 1965

S. B. No. 75

S. B. No. 109

S. B. No. 118

In Memory of

Dr. Edwin Leigh Beck

Senator Aikin offered the following resolution:

(Senate Resolution 224)

Whereas, God in His infinite wisdom has called from these earthly labors, Dr. Edwin Leigh Beck of Texarkana; and

Whereas, Dr. Beck was the father of a distinguished former Member of the Senate, Senator E. Harold Beck; and

Whereas, Dr. Beck had lived a long and most useful life, and his name had been synonymous with the advancement of medicine in Texarkana for more than fifty years; and

Whereas, Dr. Beck had served as President of Texarkana Hospital for twenty years, thereby being instrumental in further advancing the cause of more effective medical treatment in Texarkana; and

Whereas, The Senate desires to recognize the great contribution made by Dr. Beck to his city and his state, not only in the field of medicine, but as an outstanding citizen and leader; now, therefore, be it

Resolved, That when the Senate adjourns today, it do so out of honor and respect to Dr. E. L. Beck; and be it further

Resolved, That a copy of this Resolution be spread upon the Journal and a copy mailed to former Senator E. Harold Beck.

AIKIN
HARDEMAN
HAZLEWOOD

The resolution was read and was adopted by a rising vote of the Senate.